

Government Accountability Project

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New Orleans, Louisiana 70115
225-715-5946

FOIA Request

Dear Freedom of Information Officer:

Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, I am requesting a keyword search (keywords listed below) of any and all emails of EPA headquarters employees with the ranks of GS-15, SES, or ES I-V (or the equivalent ranks under other systems), along with the members of beachhead teams (listed below), either sent to or received from one another, sent to or received from a subordinate, or sent to or received from current and former officials (listed below) in the Office of the President or the Office of the Vice president since 11/8/16. (Before January 20th, some of the officials listed may have been on transition teams, rather than in an official office. I have attempted to identify as many staffers by their current or most recent titles, based on their financial disclosures.)

Keywords:

"Loyalty," "loyal," "promise," "oath," "vow," "your word," "swear," "sworn," "pledge," "Comey," "allegiance," "obedience," "fealty," "devotion," "treachery," "traitor," "disloyalty" "betrayal," "backstab," "squeal," "independent," "independence," "whistleblower," "blow the whistle," "retaliation," "retaliate," and "leak."

Office of the Vice President

Mike Pence—Vice President

Karen Pence

James Nicholas "Nick" Ayers—Chief of Staff to the Vice President

Jarrold P. Agen—Deputy Assistant to the President and Director of Communications to the Vice President

Andeliz N. Castillo—Special Assistant to the President and Deputy Director of Public Engagement and Intergovernmental Affairs for the Vice President

Stephen J. Ford—Special Assistant to the President and Director of Speechwriting for the Vice President

Jonathan D. Hiler—Assistant to the Vice President and Director of Legislative Affairs

Marc E. Lotter—Special Assistant to the President and Press Secretary to the Vice President

Sarah Makin—Deputy Assistant to the President and Director of Public Engagement and Intergovernmental Affairs for the Vice President

Daris Meeks—Deputy Assistant to the President and Director of Domestic Policy for the Vice President

Matthew E. Morgan—Deputy Assistant to the Vice President and Deputy Counsel

Kristan K. Nevins—Deputy Assistant to the President, Chief of Staff to Mrs. Karen Pence

Joan V. O'Hara—Deputy National Security Advisor to the Vice President

Mark R. Paoletta—Assistant to the Vice President and Counsel

Pamela Hughes Patenaude—Deputy Assistant to the Vice President and Director of Scheduling

Jennifer Pavlik—Deputy Assistant to the President and Deputy Chief of Staff to the Vice President

Joshua Pitcock—Assistant to the President and Chief of Staff to the Vice President

Andrea Thompson—Deputy Assistant to the President and National Security Advisor to the Vice President

Office of the President

Donald Trump—President

Melania Trump—First Lady

Stacey Amin—Special Assistant and Associate Counsel to the President

Alexander J. Angelson—Special Assistant to the President and House Special Assistant

Michael Anton—Assistant to the President and Deputy National Security Advisor for Strategic Communications and Speechwriting

Rene I. Augustine—Special Assistant to the President and Clearance Counsel

George David Banks—Special Assistant to the President for International Energy and Environment, National Economic Council

Stephen Bannon—Counselor to the President

Zina G. Bash—Regulatory Reform, Legal and Immigration Policy, Domestic Policy Council

John F. Bash—Associate White House Counsel

Avrahm J. (Avi) Berkowitz—Special Assistant to the President and Assistant to the Senior Advisor

Brian C. Blasé—Special Assistant to the President for Healthcare Policy, National Economic Council

Monica Block—Special Assistant to the President and Director of the White House

Management Office

Caroline E. Bock—Associate Director

Virginia M. Boney—Special Assistant to the President and Senate Special Assistant

Thomas (Tom) Bossert—Assistant to the President for Homeland Security and Counterterrorism and Deputy National Security Advisor

Andrew Bremberg—Assistant to the President and Director of the Domestic Policy Council

Katja Bullock—Special Assistant to the President and Associate Director of Presidential Personnel

James M. Burnham—Senior Associate Counsel to the President

Sean Cairncross—Deputy Assistant to the President

James W. Carroll—Special Assistant to the President and Senior Counsel

Michael J. Catanzaro—Special Assistant to the President for Domestic Energy and Environmental Policy, National Economic Council

Steven N. Cheung—Special Assistant to the President and Assistant Communications Director

Justin Clark—Deputy Assistant to the President and Director of Intergovernmental Affairs

Gary Cohn—Director of the National Economic Council

Kellyanne Conway—Counselor to the President

Reed Cordish—Special Assistant to the President for Intergovernmental and Technology Initiatives

John DeStefano—Assistant to the President and Director of Presidential Personnel

Rick Dearborn—Assistant to the President and Deputy Chief of Staff for Implementation

Blake Delaplane—Special Assistant to the White House Counsel

Makan Delrahim—Deputy Assistant and Deputy Counsel to the President

Uttam Dhillon—Special Assistant to the President, Ethics Compliance Team

Carlos Diaz-Rosillo—Director of Policy and Interagency Coordination, Domestic Policy Council
Jessica Ditto—Deputy Assistant to the President and Deputy Communications Director

Ann Donaldson—Special Counsel to the President and Chief of Staff to the White House Counsel

Sean E. Doocey—Deputy Director of Presidential Personnel

Michael Ellis

Boris Epshteyn—Special Assistant to the President and Assistant Communications Director for Surrogate Operations

Daniel Epstein—Associate Counsel to the President

Helen Aguirre Ferré—Special Assistant to the President and Director of Media Affairs

Michael Flynn—Assistant to the President and National Security Advisor

Scott Gast—Special Assistant to the President, Ethics Compliance Team
George Gigicos—Deputy Assistant to the President and Director of Advance and Operations
Robert T. Goad—Education Policy, Domestic Policy Council
Abe E. Goldschmidt—Special Assistant to the President
Alexander Gray—Deputy Director for the Defense Industrial Base, National Trade Council
Jason Greenblatt—Special Representative for International Negotiations
Ira A. Greenstein
David J. Gribbin—Special Assistant to the President for Infrastructure Policy, National Economic Council
Stephanie Grisham—Special Assistant to the President and Deputy Press Secretary
Joseph (Joe) Hagin—Assistant to the President and Deputy Chief of Staff for Operations
Julia Hahn—Aide to the Chief Strategist
Vince Haley—Advisor for Policy, Strategy and Speechwriting, Domestic Policy Council
Katherine C. Henderson—Director of Boards and Commissions, Presidential Personnel
Charles C. Herndon—Special Assistant To The President and Director of White House Information Technology
Hope Hicks—White House Director of Strategic Communications
Douglas L. Hoelscher—Deputy Director of Intergovernmental Affairs
Benjamin Howard—Special Assistant to the President and House Special Assistant

Hope Renee Hudson—Chief of Staff to Kellyanne Conway
Mallory Hunter—Executive Assistant to the Chief of Staff
Brian Jack—Special Assistant to the President and Deputy Director of Political Affairs
Ryan Jarmula—Advisor for Policy Development and Speechwriting, Domestic Policy Council
Kenneth Ian Juster—Deputy Assistant to the President for International Economic Affairs and Deputy Director of the National Economic Council
Michael Jordan Karem—Special Assistant and Deputy Director of Advance
Gregory Katsas—Deputy Counsel to the President
Joseph Keith Kellogg—Chief of Staff and Executive Secretary
Marcia N. Kelly—Deputy Assistant to the President and Director of White House Management
William Kirkland—Deputy Director
Shahira Knight—Special Assistant to the President for Tax and Retirement Policy, National Economic Council
Andrew D. (Andy) Koenig—Special Assistant to the President and Policy Special

Assistant

Grace E. Koh—Special Assistant to the President for Technology, Telecom, and Cyber-Security Policy, National Economic Council

Jared Kushner—Senior Advisor to the President for Strategic Planning

Joseph Lai—Special Assistant to the President and Senate Special Assistant

Gerrit Lansing—Deputy Assistant to the President and Chief Digital Officer

Chris Liddell—Director of Strategic Initiatives for the White House Strategic Development Group

Matthew L. Lira—Special Assistant to the President for Innovation Policy and Initiatives

Jennifer R. Locetta—Special Assistant to the President, Associate Director of Presidential Personnel

Derek Lyons—Deputy Assistant to the President and Deputy Staff Secretary

Victoria J. Maguire—Director of White House Events and Presidential Scheduling

Omarosa Manigault—Assistant to the President and Director of Communications for the Office of Public Liaison

Ashley Hicks Marquis—Special Assistant to the President and Chief of Staff of the National Economic Council

Kirk R. Marshall—Director of Organizational Structure and Human Capital, White House

John K. Mashburn—Deputy Cabinet Secretary

Nicholas T. Matich—Special Assistant to the President and Associate White House Staff Secretary

John D. McEntee—Special Assistant to the President and Personal Aide to the President

Kathleen (K.T.) McFarland—Assistant to the President and Deputy National Security Advisor

Donald F. McGahn—General Counsel

William (Bill) McGinley—Assistant to the President and Cabinet Secretary

Joyce Y. Meye—Deputy Assistant to the President and House Deputy Director of Legislative Affairs

Stephen Miller—Assistant to the President and Senior Advisor to the President for Policy

David Morrell—Associate Counsel

Stephen P. Munisteri—Deputy Assistant to the President and Deputy Director for the Office of Public Liaison

Claire Murray—Associate Counsel to the President

Peter Navarro—Director, National Trade Council

Anna Christina Niceta—Special Assistant to the President and White House Social

Secretary

Andrew Olmem—Special Assistant to the President for Financial Policy, National Economic Council

Stefan C. Passantino—Deputy Assistant to the President and Deputy Counsel to the President to Oversee Ethics Compliance Issues

Timothy A. Pataki—Special Assistant to the President and House Special Assistant

Robert Porter—White House Staff Secretary

Dina Habib Powell—Counselor to the President

Reinhold R. (Reince) Priebus—Assistant to the President and Chief of Staff

Dianne K. Quebral—Business Liason and Deputy Director, Office of Public Liason

Lindsay B. Reynolds—Assistant to the President and Chief of Staff to the First Lady

Mira N. Ricardel—Associate Director for Presidential Personnel

Michael A. (Mike) Roman—Special Assistant to the President

John M. Roscoe—Special Assistant to the President, Presidential Personnel

Theodore M. Royer—Special Assistant to the President and Speechwriter

Sarah Huckabee Sanders—Press Secretary

Desiree Sayle—Director of Presidential Correspondence

Anthony Scaramucci—Communications Director

Dan Scavino—Social Media Director

Keith Schiller—Deputy Assistant to the President and Director of Oval Office Operations

Schuyler Schouten—Special Assistant to the President and Associate Counsel to the President

James D. Schultz—Special Assistant to the President, Ethics Compliance Team

Bethany Scully—Special Assistant to the President and Senate and House Special Assistant

Raj Shah—Deputy Assistant to the President and Deputy Communications Director and Research Director

Marc Short—Assistant to the President and Director of the Office of Legislative Affairs

Cindy Simms—Senior White House Advisor, Office of Personnel Management

Cliff Sims—Special Assistant to the President and House Special Assistant

Sean Spicer—Assistant to the President and Press Secretary

Bill Stepien

Andrew Surabian—Special Assistant to the President and Deputy Strategist

Kathryn (Katy) Talento—Healthcare Policy, Domestic Policy Council

Paul Teller—Special Assistant to the President and House Special Assistant
Timothy Tripepi—Deputy Chief of Staff for Operations for FLOTUS
Katie Walsh—Assistant to the President and Deputy Chief of Staff
Elizabeth E. Walsh—Special Assistant to the President, Presidential Personnel
Lindsay Walters—Special Assistant to the President and Deputy Press Secretary
and Advisor to the Press Secretary
Madeleine Westerhout—Special Assistant to the President and Executive Assistant
to the President
Paul Winfree—Deputy Director of the Domestic Policy Council and Director of
Budget Policy
Ross Worthington—Advisor for Policy, Strategy and Speechwriting, Domestic
Policy Council

Beachhead Team

Aaron Ringel
Albert Kelly
Alexander Dominguez
Amanda Gunasekara
Amy Graham
Austin Henderson
Brittany Bolen
Byron R. Brown
Charles D. Munoz
Christian Palich
Christian Rodrick
Daisy Letendre
David Fotouhi
David W. Kreutzer
David W. Schnare
Dawn Michelle Hale
Dennis Forsgren
Donald M. Benton
Douglas Ericksen
Elizabeth Bennett
Elizabeth Bowman
Erik Baptist
Forrest McMurray
George Y. Sugiyama
Hayley Ford
Henry Darwin
Holly W. Greaves
Jahan Wilcox

James Hewitt
John A. Konkus
John Peter Freire
Justin Schwab Jr.
Kaitlyn Shimmin
Katherine Cory
Kenneth Wagner
Kevin Chmielewski
Lincoln Ross Ferguson
Madeline Morris
Michael Abboud
Milan Hupp
Nancy Beck
Nicholas Falvo
Patrick J. Davis
Patrick Traylor
R. Layne Bangerter
Robert Frye
Ryan Jackson
Samantha Dravis
Sarah A. Greenwalt
Susan Bodine
Sydney Morgan Hupp
Troy Lyons
Veronica Darwin
William Lovell
Yujiro Yamada

Thanks.

If any of the material covered by this request has been destroyed or removed, please provide all surrounding documentation including, but not limited to, a description of the action taken regarding the materials and justification for those actions taken.

I am not interested in generic news clippings or newsletters that just happen to mention a keyword, so please do not include those as responsive documents.

For any documents or portions you deny due to a specific FOIA exemption, please provide a detailed justification of your grounds for claiming such exemption, explaining why the exemption is relevant to the document or portion of the document withheld.

I anticipate that any responsive documents will be unclassified. If any of the responsive documents contain classified information, please segregate all unclassified material within the classified documents and provide all unclassified information.

I consent to the deletion of any material that would violate an individual's rights under the Privacy Act. We will work with your office to prioritize responsive data for this request, further refine the request if you find any terms too imprecise, conduct searches for unclassified responsive records, or engage in any other reasonable activities that would lessen the agency's burden and costs.

I request that all fees incurred in connection with the attached request be waived, because "disclosure of the information is in the public interest and is not primarily in the commercial interest of the requester." 5 U.S.C. §552 (a)(4)(A)(iii).

I am a member of the media. I have published articles in a wide variety of news outlets including *The Atlantic*, *Slate Magazine*, *Politico Magazine*, *Science Magazine*, the *Daily Beast*, *Salon*, *ThinkProgress* and *The Guardian*. I have appeared on a wide variety of television, radio and digital news programs including HBO, MSNBC, NPR and PBS and I have helped create news segments for NowThis News.

My articles have been widely read, with many reaching hundreds of thousands of readers. Whatever I write has a reasonable expectation of publication. My editorial and writing skills are well established.

On top of this, the organization I work for, the Government Accountability Project, runs a news blog, where newsworthy information can be published.

My requests are made as part of my news gathering process.

While my research is not limited to this, a great deal of it, including this, focuses on the activities and attitudes of the government itself and disseminating it to the public.

It is unnecessary for me to demonstrate the relevance of this particular subject in advance. Additionally, despite my past record, case law states that "proof of the ability to disseminate the released information to a broad cross-section of the public is not required." *Judicial Watch, Inc. v. Dep't of Justice*, 365 F.3d 1108, 1126 (D.C. Cir. 2004); see *Carney v. U.S. Dep't of Justice*, 19 F.3d 807, 814-15 (2d Cir. 1994). Further, courts have held that "qualified because it also had 'firm' plans to 'publish a number of . . . 'document sets'" concerning United States foreign and national security policy." Under this criteria, as well, I qualify as a member of the

news media. Additionally, courts have held that the news media status "focuses on the nature of the requester, not its request. The provision requires that the request be "made by" a representative of the news media. Id. § 552(a)(4)(A)(ii)(II). A newspaper reporter, for example, is a representative of the news media regardless of how much interest there is in the story for which he or she is requesting information." As such, the details of the request itself are moot for the purposes of determining the appropriate fee category.

The disclosure is "likely to contribute" to an understanding of government operations or activities.

While I do not need to explain the specifics of why I make each individual request, these documents will help me to better inform the public about potential waste, fraud or abuse, gross negligence or abuse of authority, or threats to public health and safety or the environment. All of this will serve the American people and strengthen our country.

The Government Accountability Project's Public Interest Status and History

GAP is a non-profit, non-partisan, public interest organization chartered under IRS Code §501 (C)(3) as a non-profit, educational and charitable organization. We seek to serve the public through achieving governmental accountability by protecting and encouraging federal and corporate employees who observe or are victimized by wrongdoing, gross waste of public funds, threats to public health and safety, environmental contamination, corruption, abuse of the public trust and other abuses of power.

GAP accomplishes these goals primarily by conducting advocacy campaigns before Congress, through the media, and for the general public and by providing legal representation to whistleblowers to combat the retaliation they have suffered in exercising their right of occupational free speech. Our twin aims are to promote corporate and government accountability and to expose, investigate, and correct substantive problems that formed the basis of protected whistleblowing disclosures. GAP's role is well-recognized by the courts and, as an organization, has informational standing under the First Amendment protecting its receipt of disclosed information. *Taylor v. RTC*. 56 F.3d 1437 (D.C. 1995); *United States v. Garde*, 573 F. Supp. 604 (D.D.C. 1987); ~ *Generally Virginia Pharmacy Bd. v. Virginia Consumer Council*, 425 U.S. 748, 756-57 (1976).

GAP has a 20-year history of working in the public interest. GAP does not take individual cases based on the client's ability to pay, how much money GAP believes it can recover in legal fees through litigation or any other commercial interest.

GAP takes cases of legitimately harassed whistleblowers, often pro-bono (without charge), that further public policy or legislative changes that make the law stronger for workers who witness and choose to tell the truth about corporate and taxpayer-financed wrongdoing and to pursue exposure and resolution of the wrongdoing.

GAP has, among other things, pushed for enactment of several whistleblower protection statutes, exposed unhealthy food at supermarket chains, pushed for independent reviews of the safety of the Alaska pipeline, exposed the threat of explosion in waste tanks at the Hanford nuclear site, and pushed for policy reform within numerous executive agencies. All this activity is done primarily with the interest of the public in mind.

Non-commercial use of the Requested Information

Disclosure of this information by GAP is in no way connected with any commercial interest since GAP is a non-profit, tax-exempt organization under § 501 (c)(3) of the IRS Code. The information we are seeking is crucial to advance public knowledge and will not be put to any commercial use.

Presumption of Disclosure

In the absence of guidance from the Trump Administration, the current presidential guidance comes from President Obama's 1/21/2009 memo, in which he declared the following policy for Executive Branch agencies:

The Freedom of Information Act should be administered with a clear presumption: In the face of doubt, openness prevails. ... All agencies should adopt a presumption in favor of disclosure, in order to renew their commitment to the principles embodied in FOIA, and to usher in a new era of open Government. The presumption of disclosure should be applied to all decisions involving FOIA.

The President's policy of openness was reiterated in guidelines issued on March 19, 2009 by Attorney General Eric Holder. Contained in those guidelines was the following direction:

First, an agency should not withhold information simply because it may do so legally. I strongly encourage agencies to make discretionary disclosures of information. An agency should not withhold records merely because it can demonstrate, as a technical matter, that the records fall within the scope of a FOIA exemption.

Because of these policies, all requested records should be released in their entirety, except in cases where release is explicitly prohibited by law.

Expedited Processing

I am primarily engaged in news gathering and disseminating information, as evidenced by fee waiver justification.

This information could reveal government officials swearing private oaths to the President, like former FBI Director James Comey was alleged to have had asked of him, beyond their oaths to the Constitution. This is extremely troubling and would be an inappropriate activity. Therefore, there is an urgency to inform the public about actual or alleged government activity and either expose government misconduct or clear the air about potential loyalty oaths.

On top of this, this request further merits expedited processing because it is the subject of widespread public interest and extraordinary media and congressional scrutiny. Former FBI Director James Comey testified before the Senate Intelligence Committee about the loyalty request:

<https://www.nytimes.com/2017/06/08/us/politics/senate-hearing-transcript.html>

Practically every media organization in the country covered this loyalty request, including major ones, like the New York Times, who broke the story, and the Washington Post.

<https://www.nytimes.com/2017/05/11/us/politics/trump-comey-firing.html>

https://www.washingtonpost.com/world/national-security/i-expect-loyalty-trump-told-comey-according-to-written-testimony/2017/06/07/46413298-4bab-11e7-a186-60c031eab644_story.html

All of these things justify this request for expedited processing, because the public deserves to know whether public officials are working solely for the President or whether they're working for the Constitution and the people.

Reducing Request Workload

If you disallow my fee-waiver request, I pledge to pay the price of the FOIA request up to \$25. Alert me if it exceeds this price.

Please begin working on the request while processing the request for a fee waiver.

Please send me documents electronically.

Please be reminded that under the Freedom of Information Act, we are entitled to a response to this request within twenty working days. Should this request be denied for any reason, we ask that a detailed explanation be provided along with the name of the person to whom administrative appeals should be addressed.

If my request is taking a large amount of time, please process it in tranches so I may begin processing the documents while waiting for the request to be filled.

Thank you in advance for your assistance and cooperation,

Zack Kopplin, Investigator and Outreach Associate
Government Accountability Project
225-715-5946